



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/501,242	07/12/2004	Zoran Perisic	506-117	5312

27106 7590 04/28/2006

MELVIN I. STOLTZ, ESQ.
51 CHERRY STREET
MILFORD, CT 06460

EXAMINER

SUTHAR, RISHI S

ART UNIT	PAPER NUMBER
----------	--------------

2851

DATE MAILED: 04/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/501,242	PERISIC, ZORAN	
	Examiner	Art Unit	
	Rishi Suthar	2851	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2006 (response to restriction).
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 1-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 July 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Claims 1-13 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention (group I, drawn to a camera apparatus producing head-to-head or toe-to-toe images on a single frame of a photographic medium), there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on April 7, 2006.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: The projection screen 44A in the specification (p. 19) is not shown in any of the drawings. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Art Unit: 2851

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "44" has been used to designate both the rear wall of the box 36 and a front projection screen. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 14, 15 and 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Mainardi et al. (US 2,403,733).

Regarding teaches in Figs. 1-4 an apparatus for use in viewing a three-dimensional image, the apparatus comprising optical means arranged to simultaneously receive left and right eye images in the format of a pair of head-to-head or toe-to-toe

Art Unit: 2851

images and to provide a superimposed projected image comprising the left and right eye images to a viewing screen (col. 1, lines 25-30); the optical means comprises first and second reflecting elements (27, 29) arranged to respectively project the left and right eye images, the first and second reflecting elements being arranged along an axis (horizontal as viewed in Fig. 2) extending substantially at right angles to the axis of a projection lens (vertical as viewed in Fig. 2); the apparatus including polarizing means for polarizing the left and right eye images (col. 2, lines 12-17); the apparatus including a viewing device comprising a viewing box into which said composite image is projected, the viewing box having one or more reflective surfaces that are arranged to project the left and right images onto a side wall of said viewing box, the viewing box further comprising a viewing window through which said projected image may be viewed (see Figs. 3 and 4); where an optical element is provided on the side wall of the viewing box on which the left and right images are projected, the optical element being arranged to reflect incident light rays back along their axes so that a three-dimensional image may be viewed with the naked eyes by a single viewer without the use of polarizing elements (see Figs. 3 and 4).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mainardi et al. (US 2,403,733) in view of Ramsdell (US 2,413,996).

Regarding claims 16 and 17, Mainardi et al. teaches the invention as claimed above, but does not expressly disclose providing inter-ocular adjustment means. Ramsdell teaches that it was known to provide inter-ocular adjustment means in a stereo picture apparatus (col. 1, lines 41-43; Fig. 4). It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the features as taught by Ramsdell for the purpose of optimizing the stereo effect.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Mainardi et al. (US 2,313,562), Perisic (US 6,721,500) and Murphy (3,815,970) all teach stereoscopic photography systems.

Telephone Numbers

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rishi Suthar whose telephone number is 571-272-8456. The examiner can normally be reached on M-Th 8:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2851

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



William Perkey
Primary Examiner

Rishi Suthar
Examiner
Art Unit 2851

RS